

### **Remarks**

The claims other than 22-24 have been canceled to place the application in condition for allowance.

The Examiner has inquired about the current status of examination proceedings for WO 03/072976A1 previously made of record on Nov. 17, 2003. Please find attached the PCT International Preliminary Examination Report. Applicants note that the V. Reasoned statement under Rule 66.2(a)(ii) simply references back to the international search report. The international search report cited Patent Abstracts of Japan (JP 11108106) which was submitted with Applicant's August 20, 2003 IDS and has already been made of record in the present case. The international search report cited WO 9906731 of which the US equivalent (US6427813) was submitted with Applicant's August 20, 2003 IDS and has already been made of record in the present case. The international search report cited US6151930 which was submitted with Applicant's August 20, 2003 IDS and has already been made of record in the present case. The international search report cited EP 356145 of which the US equivalent (US4896754) was submitted with Applicant's August 20, 2003 IDS and has already been made of record in the present case.

Respectfully submitted,



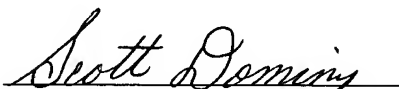
Edward F. Murphy, III

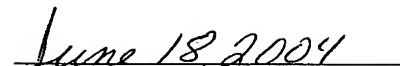
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**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on June 18, 2004 with the United States Postal Service in an envelope addressed to the Commissioner of Patents and Trademarks, Mail Stop Fee Amendment, PO Box 1450, Alexandria, VA 22313-1450, with sufficient postage as first class mail (37 CFR 1.8(a)).

  
Signature

  
Date

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)


(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

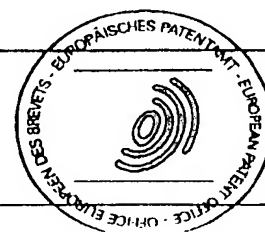
Applicant's or agent's file reference <b>IR-2881 (EV)</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/US 02/ 41378</b>	International filing date (day/month/year) <b>23/12/2002</b>	Priority date (day/month/year) <b>20/02/2002</b>
International Patent Classification (IPC) or national classification and IPC <b>F16F9/53</b>		
Applicant <b>LORD CORPORATION</b>		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 2 sheets, including this cover sheet.  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of \_\_\_\_\_ sheets.

- This report contains indications relating to the following items:
  - ☒ Basis of the report
  - ☐ Priority
  - ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Lack of unity of invention
  - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Certain documents cited
  - ☐ Certain defects in the international application
  - ☐ Certain observations on the international application

Date of submission of the demand <b>18/06/2003</b>	Date of completion of this report <b>30/10/2003</b>
Name and mailing address of the IPEA/  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Netherlands Tel.: (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer <b>CRAB E A C</b>  Tel. (+49-89) 2399 2828



**I. Basis of the report**

The basis of this international preliminary examination is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).